



**FORT MYERS BEACH  
CHARTER REVIEW COMMISSION (CRC)  
MINUTES**

Town Hall – Council Chambers  
2523 Estero Boulevard  
Fort Myers Beach, Florida 33931

**Thursday, December 11, 2014**

**I. CALL TO ORDER**

The meeting was called to order at 9:00 a.m. Chair Babcock. Members present: Tom Babcock, Miffie Greer, Dan Hughes, Jay Light, and Dan Parker.

Town Attorney: Derek Rooney

Town Manager: Don Stilwell

Council Liaison: Rexann Hosafros

**II. PLEDGE OF ALLEGIANCE**

**III. PUBLIC COMMENT**

Ceel Spuhler commented on issues facing the CRC including the form of government, bonds, and elections.

**IV. APPROVAL OF MINUTES of November 13, 2014**

Delete the following sentence on page 2: ~~Ms. Greer did not agree and felt it should be clear up front.~~

**MOTION:** Ms. Greer moved to approve the minutes as amended; second by Mr. Hughes.

**VOTE:** Motion passed unanimously.

Town Manager Stilwell provided three options regarding compensation for council members. Ms. Hosafros suggested that council members receive a raise when employees receive a raise. Discussion ensued concerning base salary, increases, and health benefits. Consensus was reached that compensation should be increased for council members, they should receive across-the-board increases, and the base should be tweaked. Discussion was held concerning an effective date and special elections. Consensus was reached to increase the base salary by \$200.00 for council members and the mayor. Town Manager Stilwell suggested providing health benefits to council members.

*Per month*

be

**MOTION:** Mr. Parker moved to increase council member's base salary to \$16,800.00 per year and increase the mayor's salary to \$19,200.00 per year, increases would commensurate with any across-the-board raise, and Town Attorney Rooney will craft appropriate language; second by Ms. Greer.

**VOTE:** Motion passed unanimously.

## **V. ARTICLE XII: INITIATIVE AND REFERENDUM**

### **Section 12.01 - Initiative and Referendum**

**MOTION:** Mr. Hughes moved to recommend amending section 12.01 to reduce the percentage of qualified electorate from 25 to a range of 15-20 and limit the type of ordinances that can be subject to that provision to exclude budget, capital expenditures, and such others that may be recommended by council; second by Mr. Parker.

**VOTE:** Motion passed unanimously.

### **Section 12.02 - Tolls Referendum**

**MOTION:** Mr. Light moved to delete Section 12.02; second by Ms. Greer.

**VOTE:** Motion passed unanimously.

## **VI. ARTICLE XIII: CHARTER AMENDMENTS**

### **Section 13.01 - Initiation by Ordinance**

**MOTION:** Mr. Hughes moved to add language from Section 13.01 in the last charter that eliminates the necessity for a referendum unless it's a ~~not~~ substantive matter; second by Mr. Light.

**VOTE:** Motion passed unanimously.

### **Section 13.02 - Initiation by Petition - no change.**

### **Section 13.03 - Charter Review**

Change the first sentence to read: The charter will be reviewed at least every 10 years.  
Remove the following sentence: ~~The charter review commission shall be appointed at least 6 months before the next scheduled election and complete its work and present any recommendations for change no later than 60 days before the election.~~

Amend the following sentence to read: The council shall hold a minimum of two public hearings to approve, reject or modify the proposed changes to the charter prior to placing the proposed changes on the scheduled election ballot.

**MOTION:** Mr. Light moved to approve the above changes to Section 13.03; second by Ms. Greer.

**VOTE:** Motion passed unanimously.

## **VII. ARTICLE XIV: SEVERABILITY**

### **Section 14.01 - Invalidity of ~~character~~ Charter Provision or Application**

## **VIII. ARTICLE XV: TRANSITION**

**MOTION:** Ms. Greer moved to delete Article XV: Transition as irrelevant; second by Mr. Hughes.

**VOTE:** Motion passed unanimously.

## **IX. ARTICLE XVI: INDEPENDENT SPECIAL DISTRICTS**

**MOTION:** Ms. Greer moved to delete Article XVI: Independent Special Districts as irrelevant; second by Mr. Hughes.

**VOTE:** Motion passed unanimously.

## **X. ARTICLE XVII: REVENUE SHARING**

**MOTION:** Mr. Light moved to delete Article XVII: Revenue Sharing; second by Ms. Greer.

**VOTE:** Motion passed unanimously.

## **XI. NEW ITEMS**

Chair Babcock discussed land development and consideration that an electorate have more control over land use issues. He referred to articles in Sanibel's charter. Discussion on Sanibel-type charter amendments was deferred. Code enforcement and the special magistrate were discussed.

## **XII. CHARTER LOG**

Chair Babcock created a charter log to follow up on action items. Town Attorney Rooney stated he would provide language for Section 3 concerning the creation of a canvassing board. Mr. Hughes stated the Audit Committee would provide options for long term debt.

**MOTION:** Mr. Hughes moved to recommend that the referendum include a provision to consider whether existing term limits be retained; second by Mr. Light.

**VOTE:** Motion passed unanimously.

**MOTION:** Ms. Greer moved to recommend a 4-year term for council members; second by Mr. Parker.

**VOTE:** Motion passed unanimously.

Chair Babcock stated he would draft a proposal with language from Town Attorney Rooney concerning term limits to be discussed at the next meeting.

Section 4.01 - Council members; elections - (c)

**MOTION:** Mr. Light moved to recommend a 1 year to 2 year residency requirement for Town Council candidates; second by Ms. Greer.

**VOTE:** Motion passed unanimously.

## **XIII. MEMBER'S ITEMS**

No member items.

## **XIV. SET NEXT AGENDA DATE AND ITEMS - January 8, 2015 at 9:00 a.m.**

Canvassing board, terms, Sanibel articles, and long term debt.

## XV. ADJOURNMENT

Chair Babcock adjourned the meeting at 12:05 p.m.

Adopted 1-8-15 ~~With~~ Without changes. Motion by Guer/Parker

Vote: 5-0

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